

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOSHUA P. BRAITHWAITE,

Plaintiff,

v.

MR. SIMCOX, et al.

Defendants.

ORDER

Case No. 24-cv-54-wmc

Plaintiff Joshua P. Braithwaite has filed a proposed civil complaint and has requested leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed without prepayment, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit a certified trust fund account statement no later than February 13, 2024. If I find that plaintiff is indigent, I will calculate an initial partial payment of the filing fee that plaintiff must pay before the court can screen the complaint on the merits under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Joshua P. Braithwaite may have until February 13, 2024 to submit a certified trust fund account statement for the period beginning approximately July 23, 2023 and ending approximately January 23, 2024. If plaintiff fails to respond to this order by February 13, 2024, then I will assume that plaintiff wishes to withdraw this action

voluntarily. In that event, the case will be dismissed without prejudice to plaintiff refiling at a later date.

Entered this 23rd day of January, 2024.

BY THE COURT:

/s/

ANDREW R. WISEMAN

United States Magistrate Judge